

Reference 37

**Texas Natural Resource Conservation Commission
Special Investigations
REPORT OF INTERVIEW**

Case:
Westlake Polymers

Case ID Number:
EPA # 0601-0041

Person Interviewed:
Craig Santana

TNRCC Office:
Region 12 - Houston

Location:
Dairy Queen
Ingleside, Texas

Interview Date/Time:
2-15-96 / 11:30 am

On February 15, 1996, TNRCC Special Investigator (SI) Brian Lynch interviewed Craig Santana at the above noted location. EPA SA Andy Yee advised Mr. Santana that he and SI Lynch were conducting a criminal investigation concerning Jimmy Dupnik's activities related to Gulf Conservation Corporation located in Ingleside, Texas. Mr. Santana advised that he understood and was willing to answer SI Lynch's questions.

Mr. Santana advised that he is the Gulf Coast Area Manager with Alamo Petroleum Exchange (Alamo) and he has been at this job since August 1995. He advised that he worked with the USCG until April 1994, in the Corpus Christi Marine Safety Office, and that from May 1994 until August 1995 he worked for an environmental consultant company known as On Call. Mr. Santana advised that while he worked for On Call he became aware of the Norco Refinery. He advised that Doug Standerfer contacted him to prepare an Oil Pollution Act (OPA) Spill Response plan for the Norco Refinery (Norco). He advised that Mr. Standerfer represented the owner Solfred Muzenz. He advised that when he left On Call in August 1995, Mr. Standerfer advised him that Mike Ward of MJP was going to be operating Norco and that he should contact Mr. Ward concerning the completion of the OPA spill response plan for Norco. He advised that he completed the OPA spill response plan for Mike Ward of MJP and it was approved by the USCG in January 1996. He advised that it only covered the MJP Dock and marine transfer portion of Norco.

Mr. Santana advised that Mike Ward told him MJP was going to do crude oil storage for small gatherers in the area to allow crude oil to be transported in by truck in and shipped out on barge, and vice versa, so that they would not have to go through the KOCH pipeline system. He advised that Mr. Ward indicated that eventually he wanted to handle other material than just crude oil, but for now that was all he would handle at the Norco facility.

Mr. Santana advised that he was involved with Mike Ward of MJP when MJP had a pipeline spill related to the MJP Dock which occurred about November 15, 1995. He advised that Mike Ward hired Alamo to respond to this spill. Mr. Santana advised that he told Mike Ward he must report the spill, but Mike Ward told him he did not want to report the spill. Mr. Santana advised that to his knowledge Mike Ward did not report the spill but that Enjet reported the spill to the Texas General Land Office that then inspected the spill.

Mr. Santana advised that in December 1995, his boss Raul Garza called him about a spill at Jimmy Dupnik's place known as Gulf Conservation Corporation located in Ingleside, Texas. He advised that he contacted Mike Ward about the spill at GCC. He advised that Mike Ward told him that Jimmy Dupnik was handling the spill. Mr. Santana advised that Mike Ward was keeping an office at GCC and that he met with Mr. Ward at GCC between Christmas and New Years. Mr. Santana advised that he knew Mr. Ward was about to take over the GCC from Jimmy Dupnik. He advised that during his meeting with Mr. Ward he told Ward that the adjacent property owner, Alamo Concrete, had sample results for the material spilled at GCC in December 1995, and the analytical results showed the presence of "nasty chemicals" such as acetone and vinyl acetate. Mr. Santana advised that he told Mr. Ward the TNRCC would be coming to GCC to sample. He advised that Mr. Ward told him the material came from Louisiana. Mr. Santana advised that he told Mr. Ward he should look at the generators waste manifest and that this would show what the material was. Mr. Santana advised that Mr. Ward told him that he would discuss the matter with Jimmy Dupnik. Mr. Santana advised that he told Mr. Ward, as a friend, that he should not take over the GCC facility until he straightened out the problem with GCC spill. He advised that Mr. Ward told him that GCC had not yet paid for the material that came from Louisiana, and that this was Jimmy Dupnik's deal. Mr. Santana advised that Polly

Report made by:
TNRCC Special Investigator, Brian Lynch

Date:
03-04-96

Reviewed by:

Date:

Texas Natural Resource Conservation Commission
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Continuation Sheet

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Mircovich was present during his meeting with Mr. Ward.

Mr. Santana advised that in about September 1995, he and his boss Raul Garza met with Jimmy Dupnik at GCC. He advised that at that time Mr. Dupnik told them that he could blend burner fuel and crude oil at his GCC facility. Mr. Santana advised that in about October 1995, Alamo pulled samples from the tanks at GCC. He advised that Mr. Dupnik was trying to sell Alamo the stuff in the tanks at GCC. Mr. Santana advised that Mr. Garza told him that Alamo did not want the material, that it was junk, and that they could not use it. Mr. Santana advised that at that time, or perhaps a little later, Alamo sampled or attempted to sample tanks at Norco. He advised that Mike Ward was trying to sell material from tanks at Norco.

Mr. Santana advised that recently Mike Ward asked for a quote on the disposal cost for some oil containing halogenated solvents from Ken Berry's tanks at Red Fish Bay Terminal. Mr. Santana advised that he told Mr. Ward the cost would be about \$0.75-\$1.25 per gallon. He advised that either Raul Garza or Pierre Kuypers told him that Jimmy Dupnik had about 400 barrels of oil at Red Fish Bay Terminal that was high in halogenated solvent content. He advised that he heard that Total Recyclers picked up a load of this material and were upset about it.

Mr. Santana identified two tanks on a Norco facility map where he said he placed liquids from the November 1995 MJP spill clean up job described above. He advised that the tank contents smelled "wickedly bad".

Mr. Santana advised that when he worked with Doug Standerfer at Norco as described above that Ross Hughes and Roy Calloway were operating a recycling operation at Norco through company known as Advantage Production or Advantage Services.

Mr. Santana advised that he discussed the vinyl acetate material which Mr. Dupnik was handling at GCC with his boss Mr. Garza. He advised that Mr. Garza told him generally that what Mr. Dupnik had out there was a waste. Mr. Santana advised that to his knowledge Alamo never purchased material from Mr. Dupnik.